

REMARKS

Reconsideration And Allowance Are Respectfully Requested.

Claims 1-5, and 10-12 are currently pending. Claims 6-9 have been withdrawn from consideration based upon the prior election and have now been canceled. Applicant affirms the election of claims 1-5, 10 and 11. Claims 1 and 10 have been amended. New claim 12 has been added. The specification has been amended to include reference numeral 30 and thus the objection to the drawings is deemed moot. No new matter has been added. Reconsideration is respectfully requested.

With regard to the rejections based upon prior art, claims 1, 2, 4 and 10 stand rejected under 35 U.S.C. §102(b) as being anticipated by German reference 2,733,846 to Moller (Moller '846). Claims 1, 2, 4, 5 and 10 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 4,791,692 to Collins (Collins '692) in view of Moller '846. Claim 5 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Moller '846 in view of U.S. Patent No. 5,996,260 to MacNeill (MacNeill '260). Lastly, claims 3 and 11 stand rejected under 35 U.S.C. §103(a) as merely being obvious.

As to rejected claims 1-5, Applicant has amended these claims to clarify that the entire cleat is made from plastic. This is the essence of Applicant's invention. Specifically, Applicant now claims a cleat consisting entirely of plastic comprising an insert made from a synthetic plastic material and a plastic traction member which is secured to the insert during a

molding process, wherein the insert is made from a synthetic plastic material having a greater hardness than the traction member.

All of the cited references, and known prior art, manufacture cleats with a metal stem and there are problems with metal stems which Applicant has overcome. Specifically, Applicant has been able to eliminate the metal stem and use a hard synthetic plastic. This is achieved by providing a plastic having a hardness between 75 MPa and 85 MPa to permit the insert to function as a undersole engagement means, but also allow bonding to occur between it and a softer plastic traction member.

The Moller '846 reference requires the use of a metal thread shaft 3 and the Collins '692 requires a metal stem 16 which is necessary for proper molding. The cited references require metal to be included in the cleat and this metal could not be removed without destroying the cleats set forth by Moller '846 and/or Collins '692. As such the cited references fail to show or disclose an entirely plastic two component cleat and thus cannot anticipate any of these claims. As such, the rejection of claims 1, 2 and 4 as being anticipated by Moller '846 should be withdrawn.

As to rejected claims 10 and 11, Applicant has amended these claims to clarify that the entire insert is made from plastic and that the insert includes a securing formation having a flange extending orthogonally from the stem portion for encasement by a traction member and a raised spike extending from a second end of the stem portion. The cited references fail to show an insert made entirely from plastic and/or having an orthogonally flange which is

encased to function as a securing formation. As such, the rejection of claims 10 as being anticipated by Moller '846 should be withdrawn.

With regard to the 35 U.S.C. §103(a) rejection of claims 1, 2, 4, 5 and 10 as being unpatentable over Collins '692 in view of Moller '846, Applicant respectfully traverses this rejection in view of the preceding remarks. Collins '692 shows a stem 16 made from metal and thus cannot meet the limitation of a cleat or insert made entirely from plastic. Therefore, regardless of what Moller '846 teaches (Moller '846 does not teach a completely plastic cleat), the combination of the two references would not produce or teach Applicant's invention.

With regard to the obvious rejection of claims 3 and 11, no prior art has been cited and the development of the specific hardness range is considered important. Applicant had to discover a plastic hardness level for the stem which would function as a rigid undersole engagement means, but also still permit a softer plastic to be bonded thereto in an injection molding process. This was not a matter of mere testing and optimization as so stated in the Office Action. As such, Applicant respectfully requests that prior art be cited in the event the Examiner decides to maintain the rejection.

Lastly, Applicant has added new claim 12, which includes limitations relating to the cleat being made entirely from plastic and limitations that the flange is encased by the traction member. A flange encased in the traction member is not shown or disclosed in any of the cited references. Encasing the flange in the softer traction member prevents any portion of the harder plastic from being exposed, resulting in only a soft cleat when attached to an undersole.

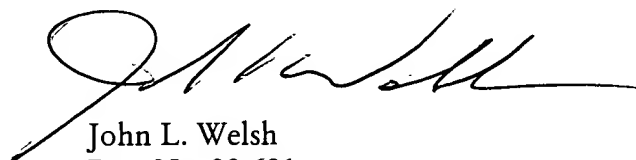
A true soft cleat is the desired result as the harder plastic could create holes in golf greens.

In view of the amended claims, it is Applicant's opinion that the prior art fails to show or teach the structure as now claimed, individually or in combination. Therefore, it is respectfully requested that all of the outstanding rejections be withdrawn.

Attached hereto is a marked up version of the changes made to the specification and claims by the current amendment. The attached page is captioned "Version With Markings To Show Changes Made".

It is believed that this case is in condition for allowance and reconsideration thereof and early issuance is respectfully requested. If it is felt that an interview would expedite prosecution of this application, please do not hesitate to contact applicants' representative at the below number.

Respectfully submitted,



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Docket No. GAR-001

VERSION WITH MARKINGS TO SHOW CHANGES MADE

IN THE SPECIFICATION:

Please replace the paragraph at Page 9, lines 9-14, with the following:

Each traction member 28 is substantially circular in plan view, having a substantially planar upper surface 30 (as shown in FIG. 2 of the drawings) which in use abuts the undersole of a shoe. A plurality of traction spikes 32 are defined on a bottom surface 34 of each traction member 28. The spikes 32 may be triangular in shape (FIG. 4), rhombohedral (FIG. 3), circular (FIG. 5), or wedge-like (FIG. 6). Each spike 32 has a substantially planar contact portion 36 to enhance wear.

IN THE CLAIMS:

Amend claims 1 and 10 as follows:

1. (Amended) A cleat for an article of footwear, consisting entirely of plastic, the cleat comprising:
an insert made from a synthetic plastic material; and
a plastic traction member which is secured to the insert during a molding process;
wherein the insert is made from a synthetic plastic material having a greater hardness than the traction member.

10. (Amended) An insert for a cleat, for an article of footwear, consisting entirely of plastic,
the insert comprising:

a stem portion;

an engagement means at a first end of the stem portion for releasable engagement with
a complementary engagement formation defined on an undersole of the article of footwear;

a securing formation having a flange extending orthogonally from the stem portion for
[securing] encasement by a traction member [to the stem portion] and a raised spike extending
from a second end of the stem portion.

Insert new claim 12 as follows: - -

12. (New) A cleat, for an article of footwear, consisting entirely of plastic, the cleat
comprising:

an insert made from a synthetic plastic material including a stem portion with an
engagement means at a first end of the stem portion for releasable engagement with a
complementary engagement formation defined on an undersole of the article of footwear and
a securing formation in the form of a flange extending orthogonally from the stem portion;

a plastic traction member which is secured to the insert and encases the flange during a
molding process; and

wherein the insert is made from a synthetic plastic material having a greater hardness
than the traction member. - -

Cancel claims 6-9, which are drawn to a non-elected invention.